



CITY OF WINTER PARK Development Review Committee

**Regular Meeting
City Hall First Floor, Chase Room**

**March 25, 2014
1:30 p.m.**

MINUTES

The meeting was called to order at 1:30 p.m. in the Chase Room on the first floor of City Hall. Staff Present: Assistant City Attorney Catherine Reischmann; Assistant City Manager Michelle Del Valle; Planning & Community Development Director Dori Stone; Planning Manager Jeffrey Briggs; Public Works Director Troy Attaway; Director of Building George Wiggins; Electric Utility Director Jerry Warren; Parks and Recreation Director John Holland; Water/Wastewater Utility Director David Zusi; Fire Marshall Scott Donovan; Planner Caleena Shirley. Also Present: Developer Dan Bellows, Benjamin Partners, Margaret O'Rourke, Margaret O'Rourke Designs; Land Planner Javier Omana. Recording Secretary Lisa Smith.

Appointment of a Chair and Vice-Chair

Motion made by Jeffrey Briggs, seconded by George Wiggins appointing Dori Stone as Chair of the DRC. Motion carried unanimously with a 5-0 vote.

Motion made by Dori Stone, seconded by Jeffrey Briggs appointing Troy Attaway as Vice-Chair of the DRC. Motion carried unanimously with a 5-0 vote.

Mr. Briggs provided an overview and explanation of why the DRC committee has been formed and the purpose which is to replicate the Orange County Development Review Committee as Ravaudage was approved under the Orange County Land Development Code. Furthermore, Mr. Briggs explained that the pre-annexation agreement with Benjamin Partners states that both parties are to use the Orange County Land Development Code in the administration of this Planned Development. He explained that the five voting members are the City Manager's designee, the Director of Planning and Community Development, Director of Public Works, Planning Manager and the Building Official. Other key city staff is on hand to be resources for the discussion. He acknowledged the City Attorney being present.

Agendas were posted accordingly and distributed.

Mr. Bellows stated that he disagrees with the comments made by Mr. Briggs with regard to following Orange County process. He disagreed with following the Orange County DRC process. He referenced the pre-annexation agreement and a provision that provides Winter Park with the ability to govern by their Codes so long as their public process is followed. He said that he has no desire to create another layer of bureaucracy with regard to this process. He requested that the pre-annexation agreement be further studied.

Ms. Stone said that she feels that this process works in the applicant's favor as site and building plans can be approved at the staff level. Attorney Reischmann explained that Mr. Bellows understanding of the pre-annexation agreement is incorrect. She indicated that Section 5 states "the City and Owners agree to accept and be governed by the Orange County PD and Commercial Future land use designations on the Property and the Orange County PD zoning designations and all other applicable provisions of the Orange County Land Development Code". Thus, there is no option as desired by Mr. Bellows to use the Orange County Code and City Code interchangeably when it suits the needs of the developer.

Action Items

REQUEST OF THE RAVAUDAGE PD FOR: DEVELOPMENT PLAN APPROVAL FOR THE APPROVED ROAD OR STREET GRID WITHIN THE PD AND PROVISIONS FOR PUBLIC AND PRIVATE INFRASTRUCTURE

Mr. Briggs explained that Benjamin Partners, Ltd. has made a request for development plan approval for the road or street grid system within the PD providing for the creation of the private streets of Morgan Lane; Via McAlister; Via Margarita and Spanish Moss Lane and provisions for public and private infrastructure.

BENJAMIN PARTNERS REQUEST IS TO BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

Condition #1: That the applicant obtain approval from the Orange County 911 system for the proposed private street names since duplication of street names already in use is prohibited.

The applicant agreed to this condition.

Condition #2: That the applicant plat the area bounded by Bennett Avenue, Morgan Lane, Lewis Drive and Spanish Moss Lane so that the easements for utilities, storm water and right-of-ways can be recorded in the public records.

The applicant agreed to plat as follows: East side of Bennett Avenue up to the West side of Lewis Drive, all of Morgan Lane and all of Spanish Moss Lane.

Condition #3: That the applicant or CDD agrees to accept the maintenance responsibility by the CDD for these private streets via the plat document.

The applicant agreed to this condition and expressed that he expects to work with the utilities department to at some point in the future the City may take over. As the platting of this project progresses, this can be addressed appropriately by Public Works.

Condition #4: That the applicant or CDD enter into an agreement with the City permitting Police enforcement of traffic laws on these private streets per the approved plat.

The applicant agreed to this condition. The City agreed to provide the applicant a copy of the agreement that WPPD has with the Winter Park Village regarding patrolling the private streets.

Condition #5: City approval does not provide any authority for parking regulation or enforcement on the platted rights-of-way within Ravaudage including Bennett Avenue, Lewis Drive, Glendon Parkway, Monroe Avenue, Benjamin Avenue, Kindel Avenue or Loren Avenue.

The applicant agreed to work with WPPD regarding parking regulation and enforcement.

Condition #6: The applicant requested an additional condition for the purposes of moving the David Weekly project forward that any roadways should be constructed to a minimum City Standard as agreed to by the City's Public Works Director. The members of the DRC Committee expressed no opposition to his request.

Motion to approve development plan for road/street grid aka plat with the conditions as amended made by Jeff Briggs, seconded by Troy Attaway. Motion carried unanimously.

Mr. Warren noted that the current version of the plans do not show locations for transformers and switchgear and he requested that as the process moves forward, that the applicant please work with Electric to identify such locations.

REQUEST OF THE RAVAUDAGE PD FOR: SIGNIFICANT CHANGES AND AMENDMENTS TO THE RAVAUDAGE LAND USE PLAN, CONDITIONS AND WAIVERS AS GRANTED BY THE ORANGE COUNTY COMMISSION ON MAY 24, 2011 AND DEVELOPMENT PLAN APPROVAL FOR A SIX OR SEVEN STORY APARTMENT PROJECT IN THE BLOCK BOUNDED BY LEWIS DRIVE AND GLENDON PARKWAY.

The applicant requested 22 significant changes and amendments to the Ravaudage Land Use Plan, Conditions and Waivers which was approved by the Orange County Board of County Commissioners on 5/24/2011. Mrs. Stone noted that traffic will not be discussed at today's meeting, and that the Development Order as a whole will go as one submittal to the City Commission.

Motion to approve the applicant's requested changes and amendments to conditions #1, 3, 5 and 6, as amended, made by Jeff Briggs, seconded by George Wiggins. Motion carried unanimously.

Condition 11(c): PD Commercial

Motion made by Dori Stone, seconded by Michelle Del Valle that the setbacks shall apply to four-story building. The language shall read: Building setbacks for all interior/exterior streets shall be a maximum of 15' in lieu of 30' with a minimum of zero (0'). All other rights-of-way shall have a maximum setback of 25'15'. The minimum of 0' shall apply to back of sidewalk with a minimum sidewalk width of 10'. No building shall encroach into the right-of-way.

Motion carried with a 4-1 vote. Jeff Briggs voted against the motion.

Condition 12(c): PD Residential

Motion made by George Wiggins, seconded by Dori Stone that the setbacks shall apply to four-story building. The language shall read: A waiver is granted from Section 38-1254 (2) (E) to allow building setbacks for all interior/exterior (all other R-O-W's) streets to be a minimum of 15' 0' in lieu of 20' (with a maximum setback of 25'). The minimum of 0' shall apply to back of sidewalk with a minimum sidewalk width of 10'. No building shall encroach into the right-of-way.

Motion carried with a 4-1 vote. Jeff Briggs voted against the motion.

Conditions 11(E) and 11(F)

The applicant is requesting approval of this requested amendment in order to allow for an increase in the building height of the area designated with a four story maximum building height to be increased to a six-story maximum building height, if the location is setback 200 feet from Lee Road. Staff recommended approval with conditions requiring setback of 200 feet from Lee Road and Orlando Avenue and from any off-site or internal residential units that are not part of the Ravaudage PD with a maximum height of 80 feet.

Motion made by Jeff Briggs, second by George Wiggins to approve the request, as amended. Motion carried unanimously.

Condition 13(b)

The applicant is requesting approval of this amendment to allow the required parking to be up to 350 feet from the buildings as it serves in lieu of the 300 foot maximum distance previously granted by Orange County. Staff feels that the distance is still walkable for users.

Motion made by George Wiggins, seconded by Jeff Briggs to approve. Motion carried unanimously.

Condition 16

The applicant is requesting approval of this amendment to eliminate the requirement to submit a Planning Context Study. The applicant has complied with this requirement.

Motion made by Jeff Briggs, second by Mr. Wiggins to approve. Motion carried unanimously.

Conditions 17, 18, 19, 20 and 21

Consensus of the Committee members was to table the applicant's requests for conditions #17, 18, 19 20, and 21 until the April 15th DRC meeting.

Condition 22

Staff recommended denial of this request. This amendment eliminates the requirement to accommodate or provide any locations or stops for LYNX service for the development as part of the mobility strategy or provide opportunity for a review of this change by LYNX. Staff position is that without the complete information on traffic and transit improvements proposed by the Ravaudage PD, any action on this request would be premature.

Consensus of the Committee members was to table this request until the April 15th DRC meeting.

Condition 27

Staff recommended approval of this request to eliminate the requirement for a minimum of 300 residential units which would alter the original vision for Ravaudage as a mixed-use development. It is the applicant's position that his building program will consist of residential, hotel, commercial/retail and office. It is, however, his intent to develop specific uses that reflect and respond to market forces. Further, if the market forces do not favor residential, then the applicant does not want to be mandated to include 300 units.

Motion made by George Wiggins, seconded by Jeff Briggs to delete the requirement. Motion carried unanimously.

Condition 29

Jeff Briggs explained that this amendment alters the matrix equivalency table by allowing changes up to 40% versus 10% in the Orange County Code. He explained that the applicant is requesting this modification to better respond to market driven initiatives. Further, this proposed amendment conflicts with the strategic plan of the City to increase the percentage of property taxes paid by commercial development versus residential development, thereby reducing the property tax burden on city residents. The matrix is all about trying to having equal traffic impact.

The applicant explained that breakdown of the matrix. He explained that he firmly believes that there needs to be a mix of viable residential with office/commercial to create a live-work environment. He would like the flexibility to develop a nice blend.

Consensus of the Committee members was to table this request until the April 15th DRC meeting.

Dori Stone noted that the Development Order will not be moved forward until after the April 15th DRC meeting.

REQUEST OF THE RAVAUDAGE PD FOR: DEVELOPMENT PLAN APPROVAL FOR THE 55 UNIT TOWNHOUSE PROJECT PROPOSED FOR DAVID WEEKLY HOMES.

Dori Stone reiterated that this is a staff level approval and that once the conditions are in place, they will be incorporated into the Development Agreement, and become a part of the site plan approval process.

Fire concerns: Upgrade of the water source for both residential and commercial. As the engineering plans are done, plans will be routed through Fire Department for final approval of fire hydrant locations.

The applicant was agreeable to this request.

Benjamin Partners, Ltd. has made a request for development plan approval for David Weekly townhouse project.

DAVID WEEKLY 55 UNIT TOWNHOUSE SITE/DEVELOPMENT PLAN IS TO BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

Condition #1: Construction on site infrastructure may proceed to provide streets/storm water/utilities etc. to the development blocks but permits for the construction of the residential townhouse buildings shall not be issued until there is conformance with or provisions made for the implementation of Conditions 17, 18 and 19 of the Ravaudage PD approval of May 24, 2011, by the Orange County BCC regarding mobility.

Motion made by Dori Stone, second by George Wiggins to add and approve a condition #6 subject to City Commission resolution of the transportation items in the Development Order prior to any issuance of a building permit. Motion carried unanimously.

Condition #2: Applicant or developer shall designate on the plat, the .30 acres of recreation land required for this residential density of the 55 units and the HOA covenants and restrictions shall indicate the maintenance responsibility of the HOA or CDD for this recreation area.

Mr. Briggs explained that the Orange County PD requires 2.5 acres of recreation land (not open space) to be provided for each 1,000 residents. This development of 55 units at 2.2 persons per household would generate the requirement for 0.30 acres. About half of that is included in the proposed plat but the other half remains to be provided. John Holland stated his concerns that there be dedicated areas for recreation for the residents that desire recreation. Staff expressed strong opposition to parks and recreation space being designated after-the-fact on the parcels that do not sell. The applicant indicated that he has no issues with the dedication of the land for parks, but stated that he would like to get further into design and development before those determinations can be made. His rationale was that he does not want to get locked into a location and later on find out that is not a good location for a recreational use. He agreed to dedicate the spray park as recreational use on the recorded plat, therefore this condition was removed.

After a considerable amount of discussion, this condition was removed pursuant to the applicant's guarantee to provide the remaining recreational land off-site.

Condition #3: Applicant or developer shall indicate the method of compliance or fee in lieu for the required provision of 10% certified affordable housing units (5 units) within this project.

The applicant stated that since the City has removed the affordable housing fee, this should not apply to this project. Thus, the applicant would like this provision removed. Mr. Briggs advised that if the applicant wants to amend the development order from the Orange County Commission then he should make an official request to have this language taken out. The applicant agreed to resubmit his request.

The applicant has indicated that he will he will resubmit his request using the City's definition of work force housing prior to the next DRC meeting. However, until such text is amended by the City Commission, the requirement shall be in force.

Condition #4: Applicant or developer shall indicate the method of garbage/trash collection for this project which shall be provided by the City prior to any permit issuance.

Jeff Briggs explained that the purpose of this condition is to ensure that there is adequate space in the 2-car garage for two cars and the otto cart. The applicant read into the record a letter from David Weekly Homes addressing this issue. The applicant agreed to this condition.

The applicant also agreed to plat the alley and perimeter sidewalks. This is to ensure that he will run the potable and private sewer line through the alley and lateral it off. Back-flows and meters will be off the alley.

Condition #5: The city will permit the 55-unit David Weekly townhouse project to connect to the City's existing sanitary sewer system, but no additional connections shall be made prior to construction of the below referenced regional pump station and force main. The existing flow that has been allowed to connect to the existing sanitary sewer system shall be diverted to the new proposed regional pump station when it is completed. The City cannot accept additional sanitary sewer flow from the Ravaudage development east through town, eventually being treated by the Iron Bridge Water Reclamation Facility, as this puts undue stress on the collection system and puts the collection system over capacity. The required alternative is to construct a new regional sanitary sewer pump station that will pump sanitary sewerage west to the Altamonte Springs Water Reclamation Facility. This pump station shall be sized to handle the existing flow generated west of Ravaudage, the proposed Ravaudage flow (including the Ale House), and additional flow from the future proposed development in the Lee Road/SR 17-92 intersection. The developer shall provide the City with a site or easement for the regional pump station. The City will participate in the pro-rata share of the cost to upsize the pump station and force main required to serve the existing sanitary flow west of Ravaudage, and future additional development adjacent to Ravaudage.

Dave Zusi, stated that as long as the applicant complies with this condition, water and waste water concerns have been met. He said that he feels that any additional sewer connections beyond David Weekly Homes will require the construction of a new lift station. The applicant expressed his concerns. He encouraged staff to re-review the details of the inter-local agreement. Troy Attaway encouraged the applicant to speak to the City Manager concerning this issue. The applicant agreed that something needs to be worked out. He agreed that the lift station is important (i.e.: location, size of the land, non-offensive, and that it cannot devalue the surrounding property). He stated that he will reach out to the City Manager in an effort to re-ignite the discussions regarding the interlocal agreement.

Motion made by Jeff Briggs, seconded by George Wiggins to approve the request of the Ravaudage PD for development plan approval for the 55-unit David Weekly townhouse project as amended with the condition that the applicant designate a spray park. The motion was withdrawn.

Motion made by George Wiggins, seconded by Jeff Briggs to approve the request subject to the applicant designating .3 acres of interactive recreational amenities at the south end of the Ravaudage pond #1. Motion carried unanimously.

Date of Next Meeting: Tuesday, April 15, 2014 @ 1:30 p.m., Chase Room, City Hall

There was no further business. Meeting adjourned at 4:50 p.m.

Respectfully submitted,

Lisa M. Smith, Recording Secretary